

Notice of Allowability

Application No.

10/622,939

Examiner

Fenn C. Mathew

Applicant(s)

SOLOVIEV, OLEG

Art Unit

3764

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/21/06.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

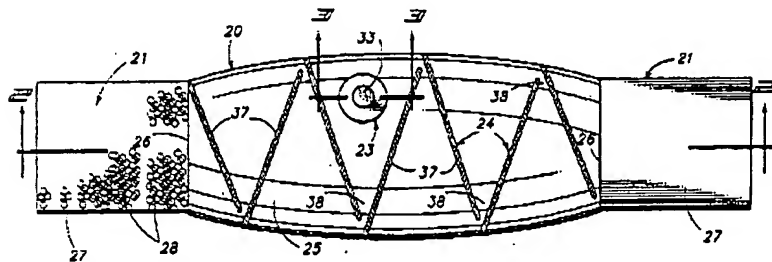
1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

JEROME DONNELLY
PRIMARY EXAMINER

DETAILED ACTION***Allowable Subject Matter***

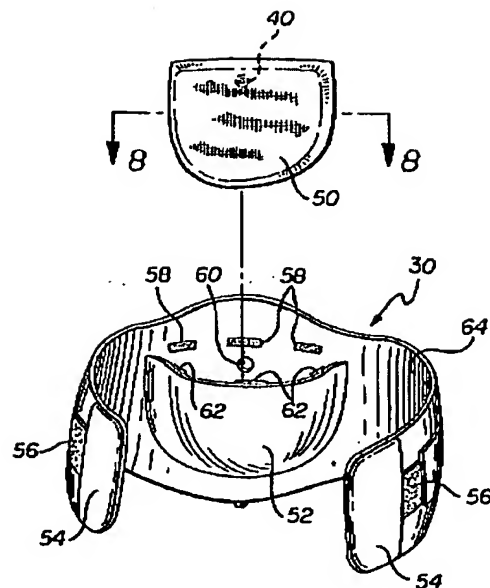
1. Claims 1-12 are allowed. The following is an examiner's statement of reasons for allowance: Prior art belts with bladders are known. Pollock (U.S. 5,050,870)



teaches an exercise device

including a main housing, that may be filled with water, and a coupling assembly comprising a pair of straps extending from opposite sides of the assembly. Pollock fails to specifically disclose a removable bladder capable of being filled with water, and a bore in each of the first and second straps adapted to receive the hands of a user.

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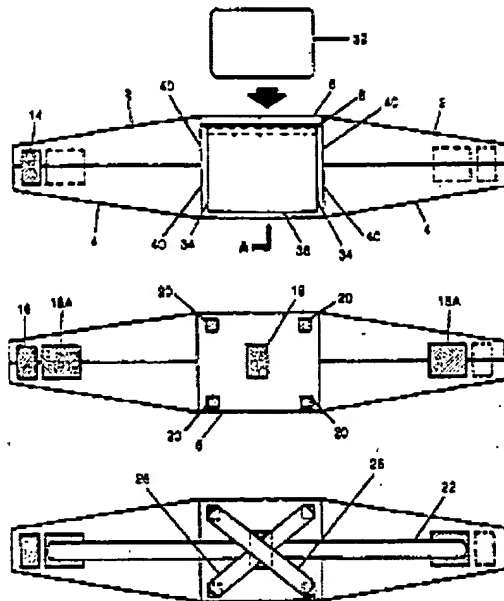
2. Grim (U.S. 5,632,723)

also teaches a

device including a main housing, a removable bladder, and first and second straps used to couple the main housing around the torso of a user. Grim fails to teach or make obvious a bore in the first and second strap sized and configured to receive the hand of the user in order to perform sit up exercises.

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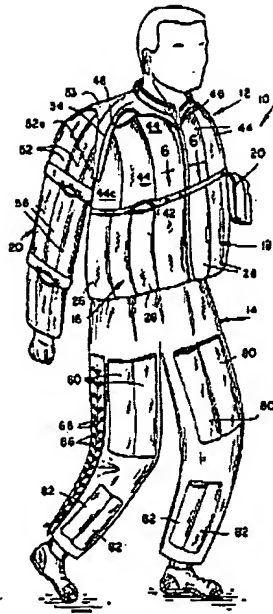
3. Drulias (U.S. 5,179,942)



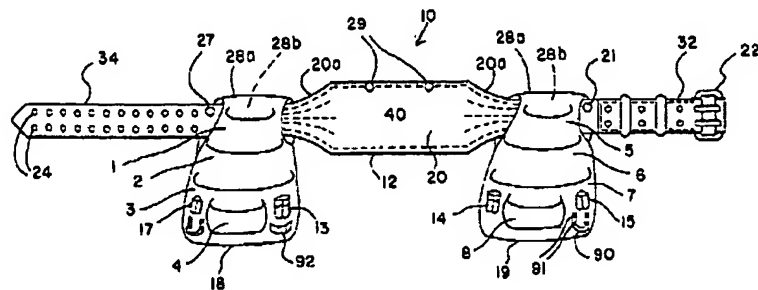
likewise teaches a lumbar

support belt including a main housing, a removable bladder, and first and second straps used to couple the main housing around the torso of a user. Drulias fails to teach or make obvious a bore in the first and second strap sized and configured to receive the hand of the user in order to perform sit up exercises.

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4. Prince (U.S. 4,384,369) teaches an exercise suit including a plurality of pockets in a main housing removably receiving water fillable bladders, and a coupling assembly adapted for selectively securing the main housing assembly to the torso of a user. Prince fails to teach or make obvious, first and second strap members extending from first and second sides of the main assembly, the first and second strap members each having a bore sized and configured to receive the hand of a user.



5. Ansley (U.S. 6,398,092) discloses a belt including a main housing, a removable bladder, and first and second straps used to couple the main housing around the torso of a user. Ansley teaches

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bores on the straps, but fails to teach or make obvious a bore in the first and second strap sized and configured to receive the hand of the user in order to perform sit up exercises.

6. The prior art fails to teach

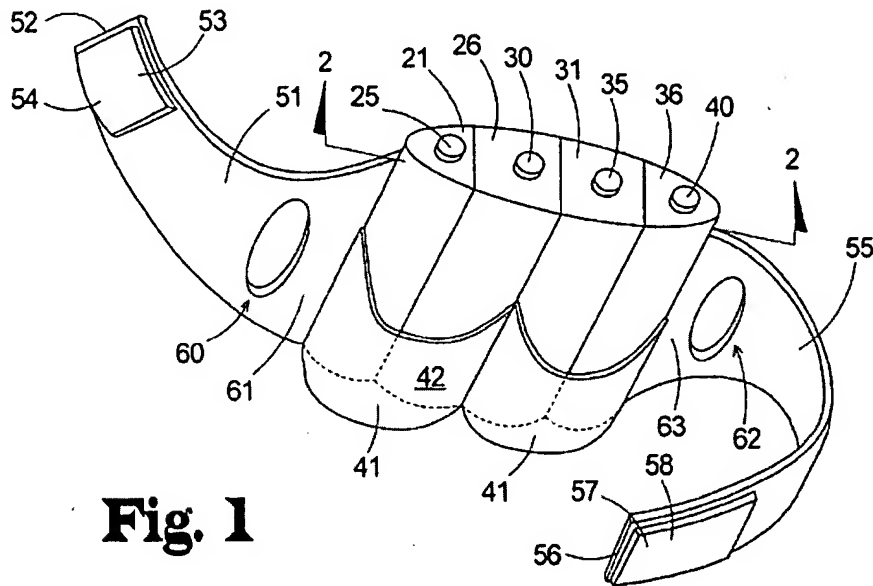


Fig. 1

a main housing (42),

adapted to removably receive a water-fillable bladder (36), a coupling assembly (51, 55) including a first and second strap extending from either side of the main housing, and a bore (60, 62) located within the strap and sized to receive a hand of the user.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fenn C. Mathew whose telephone number is (571) 272-4978. The examiner can normally be reached on Monday - Friday 9:00am - 5:30pm.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


F.C. Mathew
January 16, 2007

JEROME DONNELLY
PRIMARY EXAMINER

